

### III

## GOVERNMENTAL AND ADMINISTRATIVE INSTITUTIONS INSTITUTIONS POLITIQUES ET ADMINISTRATIVES

### (a) Central institutions /Institutions centrales

- 60.1881 AARSAETHER, Nils, *et al.* — **Evaluating the democratic accountability of governance networks: analysing two Nordic megaprojects.** *Local Government Studies* 35(5), Nov. 2009 : 577-594.

There is currently a need to analyze and measure the democratic accountability of governance networks. This kind of analysis and measurement calls for the development of an interactive conceptualization of democratic accountability that makes it possible to measure the level of democratic accountability of concrete governance networks with reference to the extent to which they interact with (1) relevant politicians appointed through the institutions of representative democracy, (2) the relevant and affected stakeholders, and (3) the wider citizenry. A case study of two governance networks involved in two Nordic megaprojects illustrates how this measurement device can be brought into use and what the insights are that can be gained from it. [R] [See *Abstr.* 60.2167]

- 60.1882 ABDEL-SAMAD, Mounah — **Exchanging favours: the predominance of casework in legislators' behaviour in Jordan and Lebanon.** *Journal of Legislative Studies* 15(4), Dec. 2009 : 420-438.

Responsiveness to constituents' demands and needs is considered an essential element of representation. Responsiveness takes several forms — service, allocation (casework), policies, and symbolic responses — and legislators usually respond to constituents using a combination of these means. However, this article discusses a category of Jordanian and Lebanese legislators, called "favours-legislators", who respond to their constituents only through casework. These legislators use all tools available to them (party/parliamentary bloc, bureaucracy, and fellow legislators) to improve their access to services important to successful casework. Favours-legislators assume that by providing a successful favor, constituents who received the favor will reciprocate in kind and vote and/or encourage others to vote for them. [R]

- 60.1883 AGUIAR, José Carlos G. — **Nuevas ilegalidades en el orden global. Piratería y la escenificación del Estado de derecho en México (New unlawful acts in the global order: piracy and the staging of the rule of law in Mexico).** *Foro internacional* 196, Apr.-June 2009 : 403-424.

President V. Fox introduced a series of measures against production and sale of material contravening copyright laws, the "war against piracy". This program stems from the legal structures promoted by global neoliberalism and makes police action target popular markets and street trading. Fox thus opened a new cycle of confrontations between authorities and informal dealers in Mexico. This process is visible in San Juan de Dios market in Guadalajara, where piracy products are distributed. The first-hand evidence collected in this market leads to an analysis of piracy raids and their implications for the rule of law in the Mexico of the democratic transition. [R]

- 60.1884 AKERSON, David ; KNOWLTON, Natalie — **President Obama [USA] and the international criminal law of successor liability.** *Denver Journal of International Law and Policy* 37(4), Fall 2009 : 615-652.

The call on President B. Obama to appoint a special prosecutor to investigate alleged crimes committed during the G.W. Bush presidency, and the myriad pressures incumbent on him not to heed those calls, spotlights the relevance of successor liability. Successor liability can lead to uncomfortable and perhaps damaging results in the case of a superior who opposed the criminal behavior of his predecessor. History is replete with examples of mass crimes going unpunished because there is no interest in the successor regimes dredging up the past or because immunity has been implicitly or explicitly traded for political gain. [R, abr.] [Part of a thematic issue on "The war on terror and its implications for international law and policy", introduced by Ved P. NANDA, "International law implications of the United States' 'war on terror'", pp. 513-538. See also *Abstr.* 60.1488]

- 60.1885 ALASUTARI, Pertti ; RASIMUS, Ari — **Use of the OECD in justifying policy reforms: the case of Finland.** *Journal of Power* 2(1), 2009 : 89-109.

The paper addresses the question how nation-states as sovereign actors adopt and implement worldwide policy models, thus creating isomorphic developmental trends, by analyzing the ways in which international governmental organizations are used to promote and legitimize policy reforms at the national level. The use of the OECD knowledge-production in governmental documents in Finland is used as a case example. By appealing to the OECD both as a source of information and policy recommendations justified by scientific knowledge, national policy-makers contribute to creating and reproducing an epistemic community, which makes it understandable why advanced economies follow isomorphic developmental paths. [R]

- 60.1886 ALEMÁN, Eduardo ; NAVIA, Patricio — **Institutions and the legislative success of "strong" presidents: an analysis of government bills in Chile.** *Journal of Legislative Studies* 15(4), Dec. 2009 : 401-419.

This paper examines the approval of government bills in Chile, evaluating the effect of presidential prerogatives and policy substance, and considering both bill-specific and contextual effects. The results show that presidential prerogatives over financial policy, as well as the ability to affect the congressional agenda through urgent bill scheduling, significantly influence government bill approval. As expected, government success is enhanced during the honeymoon period. However, changes in public approval of the president do not appear to exert a significant effect on the passage of presidential bills. [R]

- 60.1887 AMOS, Merris — **Problems with the [UK] Human Rights Act 1998 and how to remedy them: is a bill of rights the answer?** *Modern Law Review* 72(6), Nov. 2009 : 83-908.

There has recently been much discussion of the prospect of replacing, or supplementing, the Human Rights Act 1998 (HRA) with a British bill of rights. The Government, opposition Conservative Party and others have published detailed plans and research reports. While there has been some limited examination of the alleged failures of the HRA in providing effective legal protection for human rights, the debate has not been accompanied by a thorough examination of these types of problems with the HRA, free from political criticisms. Drawing on research concerning aspects of the HRA, it is possible to identify concrete problems which have prevented the HRA from meeting the objectives originally set for it. But given the limitations of the present debate, future plans do not adequately address many of these problems. [R, abr.]

- 60.1888 ANNESLEY, Claire — **Gender, politics and policy change [in the UK]: the case of welfare reform under New Labour.** *Government and Opposition* 45(1), Jan. 2010 : 50-72.

This article investigates the impact of feminist actors in a range of institutional settings on recent processes of welfare reform in the UK. It finds that the gendered welfare reform introduced by New Labour was initiated and pushed through by a coalition of committed feminist actors across a range of institutions. Crucially, the reforms relied on the existence of "strategic actors" and "gate-openers", defined as feminist actors in positions of significant institutional power. It makes a contribution to the actor-centered SRW (substantive representation of women) scholarship, develops an institutionalist approach to this research and identifies the need for a political economy perspective to understanding how women can shape policy outcomes. [R, abr.]

- 60.1889 ARDISSONE, Alberto — **La professione medica tra novità e continuità nei percorsi di riforma. Il caso italiano in prospettiva comparata (The medical profession between innovation and continuity in reform itineraries. A comparative approach to the Italian case).** *Rivista italiana di Politiche pubbliche* 2009(2) : 121-145.

This study aims at analyzing one of the main pillar of any modern welfare state, namely the healthcare sector, and more precisely the medical profession. During the last three decades, the welfare states of the affluent countries have undergone deep reforms. The economic crisis of the 1970s, and the recession which followed, pushed all those governments toward cost-containment measures. Since then, several scholars have tried to understand the patterns and the conditions of change, and among neo-institutionalists, path-dependence seemed the most common